

IN RE: PETITION FOR ZONING VARIANCE
E/S Rosewick Avenue, 225' N of
Redmore Road
(1314 Rosewick Avenue)
15th Election District
7th Councilmanic District
Lillian A. Smith
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-448-A

MEMORANDUM AND ORDER

The Petitioner herein requests a minimum lot width of 50 feet in lieu of the required 55 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Charles Wolfe, Contract Purchaser of the subject property, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County on this 13th day of May, 1988 that the Petition for Zoning Variance to permit a minimum lot width of 50 feet in lieu of the required 55 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall provide two off-street parking spaces for the subject property.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Mr. Charles Wolfe
1230 Kendrick Road
Baltimore, Maryland 21237

RE: Petition for Zoning Variance
E/S Rosewick Avenue, 225' N of Redmore Road
(1314 Rosewick Avenue)
15th Election District, 7th Councilmanic District
Case No. 88-448-A

Dear Mr. Wolfe:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

JRH:bjs

Enclosures

cc: People's Counsel

File

May 13, 1988

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-448A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1092.2.C.1 To allow a minimum lot width of 50 feet in lieu of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

PRACTICAL DIFFICULTIES DUE TO THE FACT THAT LOT DIMENSIONS DO NOT MEET CURRENT REGULATIONS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Charles Wolfe
CHARLES WOLFE
(Type or Print Name)

Charles Wolfe
Signature

1230 Kendrick Rd.
Address

BALTA 1230 21237
City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s): J. SMITH

J. PATRICIA A. LANGENFELDER
(Type or Print Name)

J. Patricia A. Langenfelder
Signature

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

CHARLES WOLFE
Name

1230 Kendrick Rd. 21237
Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of May, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1988, at 2:00 o'clock P.M.

ESTIMATED LENGTH OF HEARING - 1/2 HR.
AVAILABLE FOR HEARING - MON./TUES./WED. - NEXT TWO MONTHS (over)

REVIEWED BY: *JRH* DATE: 5/13/88

J. Robert Haines
Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 4/15/88

Posted for: *Charles Wolfe*

Petitioner: *Charles Wolfe*

Location of property: *E/S Rosewick Ave, 225' N of Redmore Rd*

1314 Rosewick Ave

Location of Signs: *Along Rosewick Ave, 10' E of Redmore Rd*

Remarks: *Property of J. Smith*

Posted by: *William J. Smith* Date of return: 4/22/88

Number of Signs: 1

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. April 14, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 14, 1988

THE JEFFERSONIAN,

Susan Studer Christ
Publisher

\$ 33.75

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland on the following:
Petition for Zoning Variance
Case number 88-448-A
E/S Rosewick Avenue, 225' N of Redmore Road (1314 Rosewick Avenue)
15th Election District
7th Councilmanic District
Petitioner: Charles Wolfe
Hearing Schedule: WEDNESDAY, MAY 4, 1988 at 2:00 p.m.
Variance to allow a minimum lot width of 50 feet in lieu of the required 55 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing or before or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
4/103 Apr. 14.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 April 14, 19 88

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearings - P.O. #98846 - Req. #M13424 - 74 lines @ \$37.00.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 15th day of April 1988; that is to say, the same was inserted in the issues of April 14, 1988

RECEIVED
APR 15 1988
ZONING OFFICE

Kimbel Publication, Inc.
per Publisher.

By *J.C. Decker*

BEING LOTS 12 AND 13, AS LAID OUT IN THE PLAT OF ROSEDALE GARDENS, SECTION "B", SUBDIVIDED BY THE CITY OF BALTO. CITY AND RECORDED AMONG THE LAND RECORDS OF BALTO. COUNTY IN PLAT BOOK W.H.M. NO. 9, FOLIO 8. THE IMPROVEMENTS THEREON BEING NOW KNOWN AS NOS. 1314 ROSEWICK AVE.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 47570
DATE: 2-16-88 ACCOUNT: R-01-115-000
AMOUNT: \$ 25.00
RECEIVED FROM: Charles Wolfe Item # 293
FOR: Residential Zoning Variance
B 8070*****35500: 5112F
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 52424
DATE: 5/6/88 ACCOUNT: R-01-115-000
AMOUNT: \$ 85.75
RECEIVED FROM: Charles Wolfe
FOR: 5/4/88 Hearing
88-448-A
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 4/26/88



Dennis F. Rasmussen
County Executive

Mr. Charles Wolfe
1230 Kendrick Road
Baltimore, Maryland 21237

Re: Petition for Zoning Variance
Case Number: 88-448-A
ES Rosewick Avenue, 225' N. of Redmond Road
(1314 Rosewick Avenue)
15th Election District - 7th Councilmanic District
Petitioner(s): Charles Wolfe
HEARING SCHEDULED: WEDNESDAY, MAY 4, 1988 at 2:00 p.m.

Dear Mr. Wolfe:

Please be advised that \$5.75 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs
cc: file

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

March 17, 1988



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 88-448-A
ES Rosewick Avenue, 225' N. of Redmond Road
(1314 Rosewick Avenue)
15th Election District - 7th Councilmanic District
Petitioner(s): Charles Wolfe
HEARING SCHEDULED: WEDNESDAY, MAY 4, 1988 at 2:00 p.m.

Variance to allow a minimum lot width of 50 feet in lieu of the required 55 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. Charles Wolfe
file

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 25, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. Charles Wolfe
1230 Kendrick Road
Baltimore, Maryland 21237

RE: Item No. 293 - Case No. 88-448-A
Petitioner: Charles Wolfe
Petition for Zoning Variance

Dear Mr. Wolfe:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3334

RECEIVED
APR 7 1988

ZONING OFFICE



Dennis F. Rasmussen
County Executive

March 31, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 292, 293, 294, 295, 297, 298, 299 and 300.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pml-b

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4590

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

March 2, 1988



Dennis F. Rasmussen
County Executive

Re: Property Owner: Charles Wolfe, Contract Purchaser

Location: E/S Rosewick Avenue, 225' N. of Redmond Rd.

Item No.: 293

Zoning Agenda: Meeting of 3/1/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved: *John F. O'Neill*
Fire Prevention Bureau

